

SENATE BILL 2580

By Yarbro

AN ACT to amend Tennessee Code Annotated, Title 43;  
Title 44, Chapter 15 and Title 62, Chapter 21,  
relative to neonicotinoid pesticides.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 43, Chapter 6, Part 1, is amended by adding the following as a new section:

(a) It is a violation of this part for a person to sell any plant material, nursery stock, annual plant, bedding plant, or other plant in this state that has been treated with a neonicotinoid pesticide unless the plant material, nursery stock, annual plant, bedding plant, or other plant bears a label with the following statement:

"Warning: Bees are essential to many agricultural crops. This product has been treated with neonicotinoid pesticides, found to be a major contributor to bee deaths and the depletion of the bee population."

(b) As used in this section, "neonicotinoid pesticide" has the same meaning as defined in § 43-8-102.

SECTION 2. Tennessee Code Annotated, Section 43-8-102, is amended by adding the following as a new subdivision:

( ) "Neonicotinoid pesticide" means any pesticide containing a chemical belonging to the neonicotinoid class of chemicals, including:

- (A) Imidacloprid;
- (B) Nithiazine;
- (C) Acetamiprid;
- (D) Clothianidin;

(E) Dinotefuran;

(F) Thiacloprid;

(G) Thiamethoxam; and

(H) Any other chemical designated by the commissioner as belonging to the neonicotinoid class of chemicals;

SECTION 3. Tennessee Code Annotated, Title 43, Chapter 8, Part 2, is amended by adding the following as a new section:

It is a violation of this part for a person to sell a neonicotinoid pesticide in this state unless the person also meets the requirements of this part to sell a restricted-use pesticide.

SECTION 4. Tennessee Code Annotated, Section 43-10-109, is amended by adding the following as a new subdivision:

( )

(A) Sell any seed in this state that has been treated with a neonicotinoid pesticide unless the seed is contained in packaging that bears a label with the following statement:

"Warning: Bees are essential to many agricultural crops. This product has been treated with neonicotinoid pesticides, found to be a major contributor to bee deaths and the depletion of the bee population."

(B) As used in this subdivision ( ), "neonicotinoid pesticide" has the same meaning as defined in § 43-8-102;

SECTION 5. Tennessee Code Annotated, Section 44-15-110(b), is amended by deleting the second sentence in the subsection and substituting the following:

This section does not apply to farmers, gardeners, or others who are using legally registered pesticides in strict compliance with the label instructions and the requirements of § 62-21-120(a).

SECTION 6. Tennessee Code Annotated, Section 62-21-120(a), is amended by designating the existing language as subdivision (a)(1) and adding the following as a new subdivision:

(2)

(A) It is an offense for any person to use a neonicotinoid pesticide unless the person is:

(i) A certified applicator;

(ii) A farmer who uses the pesticide for agricultural purposes, including crop production, livestock, poultry, and noncrop agricultural fields; or

(iii) A veterinarian; and

(B) As used in this subdivision (a)(2), "neonicotinoid pesticide" has the same meaning as defined in § 43-8-102.

SECTION 7. This act shall take effect on January 1, 2021, the public welfare requiring it.